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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

WOODROW JUNE MARSHALL,

Petitioner,

vs.

JEREMY BEAN, *et al.*,

Respondents.

Case No. 2:23-cv-01394-APG-DJA

**MOTION FOR AN EXTENSION OF TIME
TO FILE RESPONSE TO PETITION FOR
WRIT OF HABEAS CORPUS
(ECF NO. 9)

(THIRD REQUEST)**

Respondents, through legal counsel, Aaron D. Ford, Attorney General of The State of Nevada, and Michael J. Bongard, Senior Deputy Attorney General, hereby move this court for a sixty (60) day enlargement of time, up to and including, July 8, 2024, in which to submit the response to Petitioner Woodrow Marshall's Petition for Writ of Habeas Corpus. ECF No. 9. The response is currently due May 9, 2024.

This is Respondents' third request for an extension of time in which to file the responses and made in good faith and not for purposes of delay.

DATED this 3rd day of May, 2024.

AARON D. FORD
Attorney General

By: /s/ Michael J. Bongard
Michael J. Bongard (Bar No. 007997)
Senior Deputy Attorney General

DECLARATION OF MICHAEL J. BONGARD

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2 1. I am a Senior Deputy Attorney General employed by the Attorney General's Office of the
3 State of Nevada in the Post-Conviction Division, and I make this declaration on behalf of Respondents'
4 Motion for Enlargement of Time to file the response and index of exhibits to the amended petition filed
5 in the above-captioned case. By this motion, I am requesting an enlargement of time of sixty (60) days
6 enlargement of time, up to and including, July 8, 2024, to file and serve the response. The response is
7 currently due May 9, 2024.

8 2. The appeal of Marshall's second state habeas corpus petition is still pending in the Nevada
9 Supreme Court in case number 87431. According to the Nevada Supreme Court's website, the Court
10 ordered the transfer of the matter to the Nevada Court of Appeals on March 25, 2024.


11 3. A rough draft of the motion to dismiss Marshall's petition has been prepared. However,
12 the results of the state habeas proceedings will potentially change the procedural posture of claims in
13 Marshall's petition. Additionally, respondents will have to include the documents from the appeal in the
14 state court record. Granting the extension will conserve Attorney General's Office resources by resulting
15 the filing of only one response and one set of exhibits. The extension will also conserve Court resources
16 because the Court will only have to review one set of exhibits and one initial response to Marshall's
17 petition.

18 For the reasons stated herein, Counsel respectfully requests the Court grant the motion for
19 enlargement of time to July 8, 2024, to file the response to the petition in this matter.

20 DATED this 3rd day of May, 2024.

21
22 By: /s/ Michael J. Bongard
23 Michael J. Bongard (Bar No. 007997)
24 Senior Deputy Attorney General

25 **IT IS SO ORDERED:**

26 
27 _____
28 UNITED STATES DISTRICT JUDGE

Dated: May 6, 2024